

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Timothy M. Swager et al.
Serial No.: 10/823,093
Confirmation No.: 3154
Filed: April 12, 2004
For: EMISSIVE SENSORS AND DEVICES INCORPORATING THESE
SENSORS
Examiner: D. S. Metzmaier
Art Unit: 1796

Certificate of Electronic Filing Under 37 CFR 1.8

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: January 21, 2009

Signature: 

(Tina M. Hanifin)

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

In response to the Notice of Non-Compliant Amendment mailed October 21, 2008, Applicant hereby resubmits the election of Group I, claims 32-65 and 81 for continued examination, with traverse. Applicant notes that a response to the Election/Restriction Requirement mailed April 25, 2008, was filed on May 27, 2008, rather than April 23, 2008, as indicated in the Notice of Non-Compliant Amendment mailed August 20, 2008.

The Election/Restriction Requirement mailed April 25, 2008 also required an election of species. Applicant hereby elects the structure of claim 52, but further limited whereby A110-119 are hydrogen, Q is nitrogen, and Y is $-\text{CH}_2-\text{Si}(\text{t-Bu})\text{Me}_2$.